

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.114 OF 2006
IN
MISC.PETITION NO.4 OF 2000

WITH

CHAMBER SUMMONS NO.415 OF 2006
IN
MISC.PETITION NO.4 OF 2000

WITH

CHAMBER SUMMONS NO.889 OF 2006
IN
MISC.PETITION NO.4 OF 2000

Mr.Minoo Rustomji Shroff & Ors. ..Petitioners

Versus

The Charity Commissioner of Mumbai
and Ors. ..Respondents

And

World Alliance of Parsi Irani
Zarathoshtis & Ors. ..Applicants

Mr.Sharan Jagtiani for applicants intervenor in
Ch/s. No.114/2006 & 415/2006.

Mr.Virendra Tulzapurkar & Mr.Narendra Walawalkar
i/by Mr.Nana Yelkar for applicants in
Ch/s.No.889/2006.

Mr.R.N.Sethna i/by Maneksta & Sethna for respondent
no.2 in Misc.Petition No.4/2000.

Mr.G.R.Joshi with M.R.Pardiwala for the petitioners.
Zenobia S.Irani for intervenor.

Coram : R.S.Mohite, J

Date : 21.08.2006.

PC

1. Heard Advocate for the petitioners, respondents as well as the applicants in Chamber summons no.415/2006 and 889/2006. Since all the 3 Chamber summons pertain to the same dispute, all are being disposed off by this common order.

2. All parties before me have no objection if the effective date is fixed as 21st September 2006. The objection of the applicant in Chamber summons no.415/2006 and 889/2006 is only to the grant of prayer clause-(f) in Chamber summons no.114/2006 apart from the separate objection which pertains to another matter, of which reference will be made hereinafter. Advocate for the petitioners in Chamber summons no.114/2006 states that if prayer clause-(e) is granted, then alternate prayer clause-(f) will not be pressed. In the circumstances, Chamber summons no.114/2006 is made absolute in terms of prayer clauses-(a), (b), (c), (e) and (g). The effective date will be 21st September 2006. Chamber summons no.415/2006 is made absolute in terms of prayer clause-(a). Prayer clause-(b) does not have to be considered because the same pertains only to prayer clause-(f) in Chamber summons No.114/2006 which is not pressed.

3. As regards Chamber summons no.889/2006, the same

pertains to a dispute about resignation of four trustees. That is a disputed question of fact. There will be liberty to the applicant in Chamber summons no.889/2006 to raise this dispute separately before the appropriate forum. It is expected that when such an application is made before the appropriate forum, the same shall be decided as expeditiously as possible. All the Chamber summons stand disposed off accordingly.

(R.S.Mohite, J)